IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 2813 of 2005

Between:

N.R.V.Reddy, E-250411, S/o.Bal Reddy,
Faluknama Depot, R/o.Dilshuknagar, Hyderabad.

..... PETITIONER

AND

1 The APSRTC, Rep.by its Regional Manager, Hyderabad City Region, At JBS

Picket, Secunderabad.
2 The APSRTC, Rep.by its Depot Manager, Faluknama, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale stagnation increments to the petitioner on completion of 12 years service on the ground that the petitioner is out or employment though he was reinstated with continuity of service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to the petitioner on completion of 12 years of service irrespective of his transfer and in pursuance of the award of the Labour court from the date of initial appointment and to pay the arrears by re-fixing the pay of the petitioners forthwith and to pass such other order or orders as this Hon'ble court may deem fit and proper.

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondent Nos.1 & 2: MR.V.T.M.PRASAD

The Court made the following :

ORDER:

The petitioner is contending that he has been working as a driver in the respondent corporation and he completed 12 years of service, but he has not been granted stagnation increment.

The learned counsel for the petitioner submits that as per Section 12 (3) of the regulations of the Corporation , the petitioner is entitled for special grade scale after completion of 12 years of service. He further submits that in view of the Judgment of a Division Bench of this Court in WA 1301 of 2000, dated 24-11-2004, the petitioner is entitled to get the benefit even though he is working in a different region.

In the light of the above circumstances, the writ petition is disposed of. The respondents are directed to extend the benefit of stagnation increment to the petitioner subject to his completion of 12 years of service, irrespective of his transfer from one region to another region, by computing the period of service from the date of his initial appointment.

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26-04-2005

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Copy to

1 The APSRTC, Rep.by its Regional Manager, Hyderabad City Region, At JBS Picket, Secunderabad.

2 The APSRTC, Rep.by its Depot Manager, Faluknama, Hyderabad.

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